IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 13 OF 2005

SHRI GILBERT FURTADO,NAVELIM,SALCETE-GOA. ....Appellant

Versus

SHRI SHAIKH IQBAL HAMAD AND ANR., ...Respondents

Shri Valmiki Menezes, Advocate for the appellant.

Shri J. E. Coelho, Pereira, Senior Advocate with Shri V. Braganza, Advocate for the respondent No.1.

Coram:- R. M. LODHA, J.

Date:- 21st September, 2005

P.C.

Heard Mr. V. Menezes, the learned Counsel for the appellant. Though the Judgment of the appeal Court is that of reversal, yet the findings recorded by the appeal Court are findings of fact and do not give rise to any substantial question of law. The appeal Court considered the evidence on record and held that the disputed coconut tree is not within the property of the plaintiffs and that the plaintiffs failed to prove ownership over the subject-land. The said finding cannot be said to suffer from any error of law.

No substantial question of law arises.

The second appeal is dismissed in limine.

R. M. LODHA, J.

ssm.